



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

4/21/99

The Honorable Jim Hall
Chairman
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, DC 20594

Dear Chairman Hall:

This is in response to National Transportation Safety Board (NTSB) recommendation P-97-5, in which the NTSB recommends that the United States Department of Transportation (DOT):

P-97-5 [i]mprove the Department of Transportation's State pipeline safety evaluation program by developing written guidance and evaluation criteria to assist the Research and Special Programs Administration [RSPA]/Office of Pipeline Safety personnel in objectively evaluating State programs and in requiring States to promptly correct identified program deficiencies.

This recommendation results from the NTSB investigation of the propane-fueled explosion that took place in San Juan, Puerto Rico, on November 21, 1996. It addresses RSPA's oversight of the state-level pipeline safety programs, including the program operated by the Puerto Rico Public Service Commission.

To respond to your recommendation RSPA will review the written state program evaluation criteria and consult with your staff to listen to any suggestions that NTSB has to improve our guidance materials. RSPA maintains two sets of guidance materials. One set of guidelines and accompanying evaluation forms is for our Office of Pipeline Safety (OPS) state liaison representatives who oversee the performance of state pipeline safety programs. Each state pipeline safety program is evaluated annually by a state liaison representative to ensure adequate program performance. The *Pipeline Safety Program Evaluation* form is used to assign points to each state program for general performance, inspection procedures, and incident investigations. This evaluation, together with state-specific criteria included in the annual certification/agreement provides the basis for determining each state's pipeline safety grant allocation and required program improvements.

State programs receive annual certifications if they meet select requirements, which include prompt adoption of RSPA pipeline regulations; effective enforcement, adequate staffing, and inspector training. RSPA's other set of guidelines is for states that participate in the OPS pipeline safety program. The primary purpose of the *Guidelines* is to specify procedures for state pipeline safety program managers and to provide current information on the regulations, program standards, and program evaluation procedures required by RSPA. The *Guidelines* communicate to each state the pipeline safety partnership program and participation requirements, regulatory responsibilities, staffing requirements, procedures for inspections and compliance, failure investigation techniques, recognition of safety-related conditions, one-call program requirements, and state agency program performance and record keeping requirements.

The guidelines for RSPA's state liaison representatives and the program evaluation forms were revised extensively in 1997. We want to share this information with the NTSB along with any revisions that we may consider in the 1999 state program certification process. RSPA will provide you with a copy of the revised criteria and guidance materials and set up a meeting with your staff to discuss these matters.

I believe these actions will start the process to fully address NTSB Safety Recommendation P-97-5. Therefore, I request that you classify this recommendation as "OPEN - Acceptable Response".

If I can be of further assistance, please contact me or Michael Frazier, Deputy Assistant Secretary for Governmental Affairs, at (202) 366-4573.

Sincerely;

Original Signed by
Rodney E. Slater

Rodney E. Slater

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National Transportation Safety Board

Washington, D.C. 20594

Office of the Chairman

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ACTION

is assigned to

RSPA

CONTROL NO.

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S-10

Honorable Rodney E. Slater
Secretary
U.S. Department of Transportation
Washington, D.C. 20590

Dear Secretary Slater:

The National Transportation Safety Board received your April 21, 1999, letter responding to Safety Recommendation P-97-5, which was issued to the U.S. Department of Transportation (DOT) on January 6, 1998, as a result of the Board's investigation of the November 21, 1996, propane gas explosion in San Juan, Puerto Rico. The Safety Board asked that the DOT improve the State pipeline safety evaluation program by developing written guidance and evaluation criteria to assist the Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) personnel in objectively evaluating State programs and in requiring States to promptly correct identified program deficiencies.

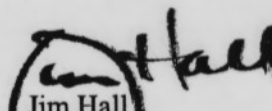
The Safety Board is pleased that RSPA will review the written State program evaluation criteria and consult with Safety Board staff about improving the DOT guidance materials. We understand that RSPA maintains two sets of guidance materials, one for the OPS State liaison representatives who oversee the performance of State pipeline safety programs and one for States that participate in the OPS pipeline safety program.

The Safety Board also understands that the guidelines and program evaluation forms for RSPA's State liaison representatives were revised extensively in 1997 and that RSPA wants to share this information with the Safety Board, along with any revisions that RSPA may consider in the 1999 State program certification process. In addition, RSPA will provide the Safety Board with copies of the revised criteria and guidance materials and meet with Safety Board staff to discuss these issues.

The Safety Board staff contact for this issue is Mr. Bob Chipkevich, Director of the Office of Pipeline and Hazardous Materials Safety. Mr. Chipkevich should be contacted at telephone number (202) 314-6461 to set up any meetings that RSPA deems necessary to address the issues related to the recommendation. Pending a reply from RSPA, Safety Recommendation P-97-5 has been classified "Open—Acceptable Response."

The Safety Board looks forward to further updates on the implementation of Safety Recommendation P-97-5.

Sincerely,


Jim Hall
Chairman